

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESale PRICE LITIGATION)	
)	MDL NO. 1456
)	Civil Action No. 01-12257-PBS
)	Subcategory No.: 07-12141-PBS
)	
THIS DOCUMENT RELATES TO:)	
<i>State of Iowa v. Abbott Laboratories, Inc., et al.</i>)	Judge Patti B. Saris
)	
)	

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF PLAINTIFF'S
CLAIMS AGAINST DEFENDANT ELI LILLY AND COMPANY**

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff, the State of Iowa, and defendant Eli Lilly and Company (the “Settling Defendant”), by and through their respective attorneys, pursuant to Fed. R. Civ. P. 41 and the terms of the Settlement Agreement between the State of Iowa and the Settling Defendant, that all claims in this action against the Settling Defendant are dismissed with prejudice and without costs to any party.

Dated: September 28, 2011

Respectfully submitted,

By: /s/ Joanne M. Cicala
Joanne M. Cicala
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On Behalf of the State of Iowa

By: /s/ William A. Davis
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On Behalf of Eli Lilly and Company

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2011, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal With Prejudice of Plaintiff's Claims Against Defendant Eli Lilly and Company, to be served on counsel of record for each party through the Court's Electronic Case Filing System and via LexisNexis File & Serve.

/s/ James Carroll
KIRBY McINERNEY LLP